

REMARKS

Claims 1, 11 and 23 have been amended. New claims 31 and 32 have been added. Thus, claims 1- 32 are now pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

Claims 1-30 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,329,578 to Brennan et al. ("Brennan").

Claim 1 recites a software package comprising *"a source identifying module for determining source data corresponding to a source of telephone calls incoming only to a single telephone number"* and *"a call handling module including instructions for each of a plurality of call handling modes"* in combination with *"a handling mode selection module determining which call handling mode controls handling of an incoming call based on the source data and a time of receipt of the incoming call."*

In contrast, Brennan describes a system for providing personal communication services to a plurality of subscribers. In the system, every call placed to multiple telephone numbers is intercepted by a host node 11 which determines whether the call is directed to one of the subscribers. If so, a service node 10 which is coupled to the host node 11 "determines which subscriber profile to use, by checking the called number against the personal numbers of all the PCS subscribers." The same actions are then taken (e.g., routing of the call) based on the subscriber profile for every call directed to a particular number. The system of Brennan operates on a global level identifying calls for every subscriber thereto, whereas the present invention pertains to calls made only to a single phone number. Thus, Brennan neither discloses nor suggests *"a source identifying module for determining source data corresponding to a source of telephone calls incoming only to a single telephone number,"* as recited in claim 1.

Therefore, Applicant respectfully submits that claim 1 is allowable. Because claims 2-10 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 11 recites a method of controlling operation of a telephone comprising the steps of *“extracting from incoming calls to a single telephone number, source data corresponding to a source of the call”* and *“specifying a set of call handling instructions for each of a plurality of call handling modes”* in combination with *“selecting one of the call handling modes for each incoming call received based on the source data and a time of receipt of the incoming call.”*

Applicant respectfully submits that claim 11 recites substantially similar limitations as claim 1, and, as such, is allowable for at least the reasons stated above. Because claims 12-22 depend from, and, therefore include all of the limitations of claim 11, it is respectfully submitted that these claims are also allowable.

Claim 23 recites a telephone system comprising *“a source notification device, providing an indication to a call recipient of a source of each of a plurality of calls incoming only to a single telephone number”* and *“a memory including operating code for controlling operation of the system, the operating code including a plurality of call handling modes which may be applied to incoming calls, and storing call recipient input indicating a corresponding one of the plurality of call handling modes to be applied to an incoming call based on the source data and a time of receipt of the incoming call.”*

Applicant respectfully submits that claim 23 recites substantially similar limitations as claim 1, and, as such, is allowable for at least the reasons stated above. Because claims 24-30 depend from, and, therefore include all of the limitations of claim 23, it is respectfully submitted that these claims are also allowable.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: August 16, 2005

By: 

Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Tel: (212) 619-6000
Fax: (212) 619-0276/212-208-6819